

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

JAMES H. BOSTIC
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

BY

FILED _____ ENTERED _____
LODGED _____ RECEIVED _____
SEP 16 2013
AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

Criminal Case No. WDQ-09-0333

MOTION FOR RETURN OF PERSONAL PROPERTY
PURSUANT TO FED. R. of CRIM. PRO. 41(g)

NOW COMES, James H. Bostic (hereinafter Petitioner), filing in a pro se capacity and moves this Honorable Court to Grant the Petitioner's motion amongst other things the liberal construction deserving of a pro se litigant.

JURISDICTION

"A person aggrieved... by the deprivation of property may move for the property's return. The motion must be filed in the district where the property was seized. The court must receive evidence on any factual issue necessary to decide the motion". Id. at Fed. R. of Crim. Pro. 41(g).

FACTUAL BACKGROUND

1) Petitioner entered a guilty plea to a conspiracy of possession with the intent to deliver pursuant to 21 U.S.C. § 846; which began on or about 2005 to on or about February 2, 2010.

2) On or about July 22, 2005, Petitioner was arrested by Officer Brian Shutt (See Exg. 1 [2 pgs.] for narcotic. Also see Exhibit 2 [2 pgs. - PSR] ¶ 6-10. During and related to this arrest U.S. Currency in the amount of approximately \$10,000.00 to \$12,000.00 was taken, from Petitioner by Officer Brian Shutt and to this date has not been returned.

3) On or about February 2, 2010, Petitioner was again arrested by Officer Brian Shutt, and had seized from his person 1 pair of prescription Fred eyeglasses; and 1 Men's Stainless Steel Luminor Marina watch (Serial No. BB 1059885). And as of this date these items have not been returned to Petitioner.

4) On or about February 2, 2010, Petitioner's residence at 5904 Edna Ave., Baltimore, Maryland 21214, was search pursuant to a warrant obtained by Officer Brian Shutt, (See Ex. 3) Officer Brian Shutt seized miscellaneous documents and 1 Men's Diamond Wedding Band, White Gold from petitioner's premise on this date and these items have not been returned to petitioner as of this date.

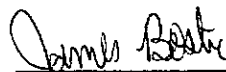
5) Petitioner hereby respectfully request the return of the above mentioned personal property. Which Petitioner has been deprived of ever since July 22, 2005 thru February 2, 2010, and

thought that after the Court proceedings (i.e. related trials, guilty pleas, sentencings, appeals, post conviction motions, etc.) in the above styled criminal action, petitioner's personal property would be returned to said owner. As of this date this has not transpired.

WHEREFORE, based upon the foregoing, the petitioner prays this Honorable Court will schedule this matter to be heard at the next Motion Hour and Order that petitioner's personal property be returned.

Petitioner, declare under the penalty of perjury that the foregoing is True and Correct.

Respectfully submitted,



James H. Bostic
Reg. No. 44590-037
P. O. Box 999
LSCI Butner
Butner, NC 27509

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this Motion was mailed, postage prepaid, to the office of the United States Attorney, 36 S. Charles St. 4th Floor, Baltimore, Maryland 21201, on this 11 day of September, 2013.

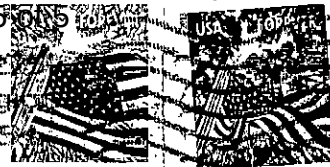
Respectfully submitted,



James H. Bostic
Fed. Reg. #44590-037
P. O. Box 999 LSCI
Butner, NC 27509

Name: James Bostic Number: 44590-037
Low Security Correctional Institution
P.O. Box 999
Butner, NC 27509

RALEIGH NC 27601
Research Triangle Region
12 SEP 2013 PM 5:00



⇄44590-037⇄
Clerk Of Court
Legal MAIL
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Baltimore, MD 21201
United States

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